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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------|-------------|---------------------------------|---------------------|------------------|
| 09/932,914 | 08/20/2001 | Johannes Martinus Dina Goossens | GEPLP-44 | 8075 |
| 21121 | 7590 | 10/23/2003 | EXAMINER | |
| OPPEDAHL AND LARSON LLP | | | SZEKELY, PETER A | |
| P O BOX 5068 | | | | |
| DILLON, CO 80435-5068 | | | ART UNIT | PAPER NUMBER |

1714

DATE MAILED: 10/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | | |
|------------------------------|------------------------|--|---------------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 09/932,914 | | GOOSSENS ET AL. | |
| | Examiner | | Art Unit | |
| | Peter Szekely | | 1714 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Claim Objections

1. Claim 25 is objected to because of the following: Applicants failed to mention this claim in their response and said claim is not listed at all among the other claims extant or canceled. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 6, 7, 9, 10 and 16-25 are rejected under 35 U.S.C. 102(b or e) as being anticipated by Ogoe et al. 5,663,280, Khouri 6,423,768 or Nishihara 6,454,969.
4. Ogoe et al. disclose a carbonate polymer in claim 1, metal salts in claims 1, 19 and 21, articles in claim 22, polycarbonates in the paragraph overlapping columns 5 and 6, cyanoacrylates and their concentration in column 12, lines 31-39 and KSS and KPFBS in column 19, lines 42-62. For articles see column 20. Khouri teaches polycarbonates in column 3, line 67 and column 5, line 26, KSS and KPFBS in column 9, lines 15-19 and cyanoacrylates in column 9, line 53. Nishihara recites polysiloxanes in claims 1-9, phenyl groups in column 7, lines 8-26, polycarbonates in column 11, lines 19-32, KSS and KPFBS in column 15, lines 30-33 and cyanoacrylates in column 21, line 32. Applicants' claims are not novel.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogoe et al. 5,663,280, Khouri 6,423,768 or Nishihara 6,454,969, in view of Mark et al. 4,130,530, Rosenquist 4,335,032, Sakashita et al. 5,470,938, Weider et al. 5,693,697, Van Nuffel 6,441,071 or General Electric EP 0 675 159.

7. All of the cited references have been discussed previously. It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to use the siloxanes of Mark et al., Rosenquist or Weider et al. and the cyanoacrylates of Sakashita et al., Van Nuffel or General Electric in the compositions of the primary references, since the secondary references prove that these materials are customarily used in polycarbonate compositions.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Szekely whose telephone number is (703) 308-2460. The examiner can normally be reached on 7:00 a.m.-5:30 p.m. Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (703) 306-2777. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



Peter Szekely
Primary Examiner
Art Unit 1714

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10/20/03